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Facts About Vehicle Title Transfers

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Transferring a Title

Upon the death of a vehicle owner, transferring the vehicle title depends on whether the title was in the individual name of the decedent or in joint ownership. If the title was in the decedent's name only, the procedure depends on whether the decedent's estate is being probated. **For more information, please call the Public Inquiry Division at 217-782-6306.**

Title in Name of Decedent

Probated

If probated, regardless of whether a title is being transferred to a buyer from the estate or to an heir or legatee of the decedent, the Secretary of State requires the following documents to transfer a title:

1. Certified copy of **letters of administration,** or **testamentary** showing the name of the legal representative of the estate.
2. **Decedent's title** assigned by the legal representative of the estate to the buyer.

3. **Application for Title and Registration** (VSD-190). If the vehicle will not be operated, the buyer may submit only an **Application for Title** (VSD-330). *The current odometer reading must be indicated on the application and the appropriate box marked either "actual," "not actual" or "in excess of mechanical limits" (odometer rolled over).*
4. **$65 title fee and applicable registration fees** payable to Secretary of State.
5. **Proof of compliance with the Motor Vehicle Use Tax** (RUT-50) and appropriate taxes payable to Illinois Department of Revenue but submitted with the above documents and fees to the Secretary of State.

Small Estate

If a decedent's estate is not being probated and the value of the personal estate does not exceed $100,000, the **Small Estate Affidavit procedure** applies and the following must be submitted:

1. **Small Estate Affidavit** indicating the vehicle's year, make and vehicle identification number. The affiant does not have to be an heir or legatee. If there is a will, a **certified copy** also must be submitted.
2. **Decedent's title,** which does not need to be assigned.
3. Copy of **death certificate or abstract**.
4. **Application for Vehicle Title and Registration** (VSD-190). If the vehicle will not be operated, the buyer may submit only an **Application for Title** (VSD-330). *The current odometer reading must be indicated on the application and the appropriate box marked either "actual," "not actual" or "in excess of mechanical limits" (odometer rolled over).*
5. **$65 title fee and applicable registration fees** payable to Secretary of State.

6. **Proof of compliance with the Motor Vehicle Use Tax** (RUT-50) and appropriate taxes payable to the Illinois Department of Revenue but submitted with the above documents and fees to the Secretary of State.

Attorney's Affidavit

If the estate is not being probated and the Small Estate Affidavit procedure is not applicable or appropriate, the transfer may be accomplished through the **Attorney's Affidavit procedure** and the following must be submitted:

1. **Attorney's Affidavit** on the attorney's letterhead stating:
   (a) Name and last address of the decedent,
   (b) Date of death,
   (c) Year, make and vehicle identification number (VIN) of the vehicle,
   (d) Who the vehicle is being transferred to and the relationship to decedent, if any, and
   (e) Other pertinent facts relating to the transfer of the vehicle.
2. Copy of **death certificate or abstract.**
3. **Decedent's title.**
4. **Application for Vehicle Title and Registration** (VSD-190). If the vehicle will not be operated, the buyer may submit only an **Application for Title** (VSD-330). *The current odometer reading must be indicated on the application and the appropriate box marked either "actual," "not actual" or "in excess of mechanical limits" (odometer rolled over).*
5. **$65 title fee and applicable registration fees** payable to Secretary of State.
6. **Proof of compliance with the Motor Vehicle Use Tax** (RUT-50) and appropriate taxes payable to Illinois Department

of Revenue but submitted with the other documents and fees to the Secretary of State.

Joint Ownership

A title in the names of two or more persons is considered a **joint tenancy.** By law, upon the death of one of them, the surviving joint tenant(s) becomes the owner(s) of the vehicle. Within 120 days after the decedent's death, the surviving joint owner(s) must apply for a title in their own name(s) unless transferring the title to someone else. In either case, the following must be submitted:

Surviving Joint Owner

1. Copy of **death certificate or abstract.**
2. **Original title** *(jointly owned)* must be surrendered and need not be assigned.
3. **Application for Title** (VSD-330) marked "CORRECTED TITLE" to have the decedent's name removed from the title. *The current odometer reading must be indicated on the application and the appropriate box marked either "actual," "not actual" or "in excess of mechanical limits" (odometer rolled over).*
4. If the applicant plans to operate the vehicle, an **Application for Vehicle Title and Registration** (VSD-190) to correct the registration must be submitted in addition to applying for a **corrected title**. A current registration can be assigned to the surviving joint owner.
5. **$65 title fee** and, if applicable, **$3 corrected registration fee** payable to Secretary of State.

Surviving Joint Owner Transferring Title to Another Individual

1. Copy of **death certificate or abstract.**
2. **Original title** *(jointly owned)* properly assigned by the surviving owner(s) transferring the vehicle to the buyer. *The current odometer reading must be certified on the assignment of title.*
3. Buyer must submit the **assigned title** and completed **Application for Vehicle Title and Registration** (VSD-190). If the vehicle will not be operated, the buyer may submit only an **Application for Title** (VSD-330). *The current odometer reading must be indicated on the application and the appropriate box marked either "actual," "not actual" or "in excess of mechanical limits" (odometer rolled over).*
4. **$65 title fee and applicable registration fees** payable to Secretary of State.
5. **Proof of compliance with the Motor Vehicle Use Tax** (RUT-50) and appropriate taxes payable to Illinois Department of Revenue but submitted with the above documents and fees to the Secretary of State.

Lost Titles

If a title is lost, it is not necessary to apply for a duplicate title. However, an affidavit indicating that the title has been lost and a statement explaining the transfer of the vehicle must be submitted. In cases where the **Small Estate Affidavit** or **Attorney's Affidavit** procedure is applicable, the statement may be included in those affidavits. In cases where the letters of administration procedure is applicable, a statement about the lost title also must be included. The statement must list the vehicle's year, make, model, VIN and the new buyer's name, if applicable, and be signed by the executor.

Title and Registration Fees

1. Certificate of Title $65
   All-terrain vehicle or off-highway motorcycle Certificate of Title *$30
   Salvage Certificate $4
   Junking Certificate ..... NO FEE

   * If vehicle is used for production agriculture, the fee is $13.

2. Surviving joint owners and surviving spouses do not need to pay vehicle registration fees until the current registration expires. If the surviving spouse is not listed as a joint owner on the decedent's title and a corrected registration identification card is requested, a copy of the **death certificate** is required to show marital status. The fee for a corrected card is **$3**. All other buyers operating the vehicle must register it in their names upon transfer of the vehicle.

3. Title and registration fees may be combined in **one check** or **money order** payable to Secretary of State.

Motor Vehicle Use Tax

The transfer of a motor vehicle involving an estate (excluding those transfers of ownership involving joint ownership or a surviving spouse) is subject to Motor Vehicle Use Tax. *An RUT-50 tax form must be completed in all cases except for a joint owner.* Taxes specified on the form must be made payable to the Illinois Department of Revenue but submitted with the above forms to the Secretary of State.

For more information about motor vehicle taxes, please call the Illinois Department of Revenue at 800-732-8866 or 217-782-3336.

Where to Apply

Title applications may be obtained from most Secretary of State facilities in Illinois or by calling 800-252-8980 or 312-793-1010.

Applications may be made in person at:

- Most Secretary of State Driver Services facilities
- Customer Service Centers in Springfield:
  - — 108 Howlett Bldg., 501 S. Second St.
  - — 2701 S. Dirksen Pkwy.
- Any Secretary of State branch office in Chicago:
  - — 100 W. Randolph
  - — 5401 N. Elston Ave.
  - — 9901 S. King Dr.
  - — 5301 W. Lexington

Applications may be mailed along with any required documents and a check, draft or money order (DO NOT SEND CASH) to:

Office of the Secretary of State
Vehicle Services Department
014 Howlett Building
501 S. Second St.
Springfield, IL 62756

WWW.CYBERDRIVEILLINOIS.COM

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